

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KEVIN WILLIAMS,	)	
Plaintiff,	)	
	)	C.A. No. 21-154 Erie
	)	
v.	)	District Judge Susan Paradise Baxter
	)	Magistrate Judge Richard A. Lanzillo
GLOBAL TEL & LINK	)	
CORPORATION, et al.,	)	
Defendants.	)	

**MEMORANDUM ORDER**

Plaintiff Kevin Williams, an inmate incarcerated at the State Correctional Facility at Forest in Marienville, Pennsylvania, commenced this action on May 27, 2021, by filing a *pro se* civil rights complaint accompanied by a motion for leave to proceed *in forma pauperis* (“ifp motion”) [ECF No. 1]. Named as Defendants are Global Tel & Link Corporation (“Global”) and Judge Gregory J. Hammond (“Hammond”). This matter was referred to United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

By way of background, on or about April 4, 2019, Plaintiff filed a state court action against Defendant Global in the Court of Common Pleas of Forest County, Pennsylvania, asserting claims of fraud by deception and false advertising. (ECF No. 1-2 at pp. 1-2). After the state court case had been pending without a final disposition, Plaintiff filed the within action with this Court alleging that the state court judge “refuses to rule, as the case would make law against the Defendants.” (*Id.* at p. 2, Section II.A.4). Thus, Plaintiff seeks an order of this Court compelling the assigned judge, Defendant Hammond, to enter a final judgment in Plaintiff’s

favor in the state court action. (Id. at p. 3). Plaintiff subsequently filed a motion for judgment on the pleadings on January 6, 2022 [ECF No. 7], requesting that judgment be entered in his favor against Defendants.

On April 4, 2022, Judge Lanzillo issued a report and recommendation (“R&R”) recommending that Plaintiff’s ifp motion [ECF No. 1] be granted, that Plaintiff’s motion for judgment on the pleadings [ECF No. 7] be DENIED, and that this action be dismissed as legally frivolous in accordance with 28 U.S.C. § 1915(e), finding that this Court lacks subject matter jurisdiction to compel state court action [ECF No. 8]. No timely objections have been filed.

After de novo review of the complaint, together with the report and recommendation, the following order is entered:

AND NOW, this 25th day of April, 2022;

IT IS HEREBY ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued April 4, 2022 [ECF No. 8], is adopted as the opinion of the Court, that Plaintiff’s ifp motion [ECF No. 1] is GRANTED, that Plaintiff’s motion for judgment on the pleadings [ECF No. 7] is DENIED, and that this case is DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e) due to this Court’s lack of subject matter jurisdiction. The Clerk is directed to mark this case CLOSED,

  
SUSAN PARADISE BAXTER  
United States District Judge

cc: The Honorable Richard A. Lanzillo  
U.S. Magistrate Judge

all parties of record